



# PUBLIC SCHOOLS OF NORTH CAROLINA

STATE BOARD OF EDUCATION | Eric C. Davis, Chairman

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## MEMORANDUM

**TO:** Office of State Budget and Management

**FROM:** Eric A. Snider, General Counsel: SBE & DPI

**DATE:** May 14, 2019

**RE:** Federal Certification for N.C. Department of Public Instruction  
State Board of Education Rule Readoption  
Dispute Resolution Process for Homeless Students

### Rule-making Coordinator's Certificate

As Required by GS 150B-19.1(g)  
For Proposed Permanent Rules Adopted to  
Implement a Federal Law or on which the Receipt of Federal Funds is Conditioned

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The following rules within 16 NCAC 06H are proposed for readoption to be compatible with federal law governing dispute resolution for homeless students:

16 NCAC 06H .0114, .0115, and .0116 apply to the processes by which homeless students can seek resolution for complaints about eligibility, school selection, or enrollment and how they can appeal Local Education Agency decisions regarding enrollment. Regulation by the State of North Carolina of these matters is subject to the provisions of 42 U.S.C. §§ 11431 - 11432.

The adoption of the above-named rules is necessary to comply with the federal regulations ensuring that homeless children have equal access to the same public education as other children.

### STATE BOARD OF EDUCATION-LEGAL OFFICE

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